

and this deponent did thereupon subscribe his name at the end of said will as an attesting witness thereto, and at the request and in the presence of the said testator. And this deponent further saith that at the said time when the said testator subscribed his name to the last will as aforesaid, and at the time of the deponent's subscribing his name as attesting witness thereto, as aforesaid, the said John J. Powers was of sound mind and memory, of full age to make a will, and was not under any restraint, to the knowledge, information or belief of this deponent. And further these deponents say not.

H. O. Combs

H. L. Walker

Solemnly sworn and subscribed, this 17th day of March, 1932, before me.

G. V. W. Acheson

Clerk Superior Court.

North Carolina } In the Superior Court.  
Washington County }

It is therefore considered and adjudged by the court that the said paper writing, and every part thereof, is the last will and testament of John J. Powers deceased and the same, with the foregoing examination and this certificate, are ordered to be recorded and filed.

This the 17th day of March, 1932.

G. V. W. Acheson

Clerk Superior Court.

Note: sworn a foster child taken and raised from infancy as child of donor.

### Last Will and Testament of David B. Brinkley.

I, David B. Brinkley, of the County of Washington and State of North Carolina, being of sound mind, but considering the uncertainty of my earthly existence, do make and declare this my last Will and Testament, hereby revoking all other wills and testaments by me heretofore made.

Item 1. My executor hereinafter named, shall give my body a decent burial suitable to the wishes of my relatives and friends, and pay all funeral expenses, together with all just debts, out of the first moneys which may come into his hands belonging to my estate.

Item 2. I will and bequeath to my beloved brother, James T. Brinkley, the sum of One Thousand (\$1,000.00) Dollars in money, to be paid by my executor hereinafter named.

Item 3. I will and devise to my nephew, Paul H. Brinkley of Plymouth, North Carolina, my hotel property and lot in the town of Plymouth, and lying on Water and Washington Streets, said lot being bounded on the west by the property of Miss Mary Louise Myers, and on the South by the Lovell heirs, together with all furniture and fixtures and hotel equipment in said hotel buildings and on said lot, to have and to hold, unto him, said Paul H. Brinkley of Plymouth North Carolina, his heirs and assigns, in fee simple.

Item 4. I will and devise to my nieces, Dona B. Newman and Jennie Brinkley, share and share alike, as tenants in common, my residence and lot on the corner of Main and Jefferson Streets, together with all household and kitchen furniture in said residence, also the house and lot lying between my residence lot and the lot of L. S. Landrum, on Jefferson Street, and which was my old home place, to have and to hold to them, for and during the term of their natural lives, and to the survivor of each other during her natural life, and at the death of said Dona B. Newman and Jennie Brinkley, I will and devise said property referred to and designated in this item of my Will, to Julian and Frank Brinkley, sons of Paul H. Brinkley of Plymouth North Carolina, share and share alike, as tenants in common in fee simple.

Item 5. I will and devise to my nephew, Paul H. Brinkley of Plymouth, North Carolina, all my land lying south of the Atlantic Coast Line Railroad, called the "Seaslay Land", including and embracing the Cemetery, opposite the County House, to have and to hold to him, his heirs and assigns in fee simple.

Item 6. All the rest and residue of my property real, personal, and mixed wherever found, not heretofore disposed of in this Will, I direct my executor hereinafter named to sell, either publicly or privately, to the best possible advantage, and the proceeds from the sale of said property, I will and bequeath to the children of my brothers and sisters to share and share alike, that is, to be divided equally among them, or their legal representatives, the legal representatives of such child to take such child's part only.

Item 7. I hereby constitute and appoint my nephew, Paul M. Brinkley of Plymouth, North Carolina, my lawful agent, to all intents and purposes to execute this my last Will and Testament according to the true intent and meaning of the same and every part and clause thereof, to act as such without bond.

In Witness Whereof, I the said David O. Brinkley, do hereunto set my hand and affix my seal, this 15th day of March, 1924.

David O. Brinkley. Seal

Signed, sealed, published, and declared by the said David O. Brinkley, to be his last Will and Testament, in the presence of us, who at his request and in his presence, and in the presence of each other, do subscribe our names as witnesses thereto.

Zeb Vance Norman  
Lloyd E. Gilbert.

State of North Carolina, } In the Superior Court,  
Washington County, } Before the Clerk.

A paper writing purporting to be the last will and testament of David O. Brinkley, deceased, is exhibited before me, the undersigned, clerk of the Superior Court for said County, by Paul M. Brinkley, the executor therein mentioned, and the due execution thereof by the said David O. Brinkley is proved by the oath and examination of Zeb Vance Norman and Lloyd E. Gilbert, the subscribing witnesses thereto, who, being duly sworn, do depose and say, and each for himself depose and say, that he is a subscribing witness to the paper writing now shown him, purporting to be the last will and testament of David O. Brinkley; that the said David O. Brinkley, in the presence of this deponent subscribed his name at the end of said paper writing now shown as aforesaid, and which bears date

of the 15th day of March, 1924.

And the deponent further saith that the said David O. Brinkley, the testator aforesaid, did, at the time of subscribing his name as aforesaid, declare the said paper writing as subscribed by him and exhibited to be his last will and testament, and the deponent did thereupon subscribe his name at the end of said will as an attesting witness thereto and at the request and in the presence of the said testator, and the deponent further saith that at the said time when the said testator subscribed his name to the said last will as aforesaid and at the time of the deponent's subscribing his name as attesting witness thereto as aforesaid, the said David O. Brinkley was of sound mind and memory, of full age to execute a will, and was not under any restraint, to the knowledge, information or belief of this deponent, and further these deponents say not,

Zeb Vance Norman  
Lloyd E. Gilbert

Servally sworn and subscribed, this 19th day of March, 1924, before me,

C. W. Ansborn  
Clerk Superior Court.

North Carolina, }  
Washington County, } In the Superior Court.

It is therefore considered and adjudged by the Court that the said paper writing, and every part thereof, is the last will and testament of David O. Brinkley, deceased and the same, with the foregoing examination and this certificate, are ordered to be recorded and filed.

This 19th day of March, 1924,

C. W. Ansborn  
Clerk Superior Court.